

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Rakib et al.

Art Unit: Unknown

Examiner: Unknown

Serial No. Unknown

Docket No. TER-002.3P D2

Filed: 1/3/01

For: **APPARATUS AND METHOD FOR SCDMA DIGITAL DATA TRANSMISSION
USING ORTHOGONAL CODES AND A HEAD END MODEM WITH NO TRACKING
LOOPS**

Honorable Commissioner
of Patents and Trademarks
Washington, D.C. 20231

Morgan Hill, California
January 2, 2001

PRELIMINARY AMENDMENT

Dear Sir:

In response to a restriction requirement in the parent case, please amend the enclosed divisional patent application filed under 37 CFR 1.53(b) as follows. All claims have been cancelled except for the claims in Class Roman Numeral II of the restriction requirement, and new claims have been added.

IN THE DRAWINGS

Enclosed are markups of Figures 53B and 53C to conform these figures to the description of the process given in Figure 60 and the specification changes described below with the changes marked in red. Also enclosed is a markup of Figure 60 with changes marked in red to eliminate duplicate reference numbers.

IN THE SPECIFICATION